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16 IN THE UNITED STATES DISTRICT COURT FOR THE  
17  
18 NORTHERN DISTRICT OF CALIFORNIA  
19  
20 SAN JOSE DIVISION

21 \*E-FILED - 9/1/05\*

22 HEWLETT-PACKARD COMPANY CO., )  
23 )  
24 Plaintiff, )  
25 )  
26 v. )  
27 )  
28 UNITED STATES OF AMERICA, )  
Defendant. )  
\_\_\_\_\_ )

**NO. C-04-03832-RMW**

**STIPULATION RE CONTINUING  
SEPTEMBER 2, 2005 CASE  
MANAGEMENT CONFERENCE AND  
ORDER**

Though the parties have made substantial progress in reaching agreememnt on the

amount of damages in this action as contemplated by the Court's August 5, 2005 order, they still need more time to complete their negotiations and analysis. THEREFORE, IT IS HEREBY AGREED AND STIPULATED between plaintiff and defendant, by their attorneys of record, that the date for the Case Management Conference in this action be continued from Friday, September 2, 2005 until Friday, October 14, 2005. The parties now expect to complete a damage stipulation prior to this new date, thereby allowing the court to vacate that date.

KEVIN V. RYAN  
United States Attorney

Dated: 9/ \_\_1\_\_ 2005

\_\_\_\_s/David Denier\_\_\_\_  
DAVID L. DENIER  
Assistant United States Attorney  
Tax Division

Dated: 9/ \_\_1\_\_ /2005

\_\_\_\_s/Mark Boennighausen\_\_\_\_  
LESLIE HOLMES  
MARK V. BOENNIGHAUSEN  
Attorney for Plaintiff

# **ORDER**

Pursuant to the Stipulation of the Parties, and good cause appearing therefore,

IT IS HEREBY ORDERED that the parties Case Management Conference is continued until October 14, 2005, unless the parties submit a stipulation on damages prior to that date in which case the conference will be vacated and a judgment entered in the case.

Dated: 9/1/05

